



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,529	11/21/2000	Amy Hobbs Atzel	13415.1-US-01	1794

7590 12/27/2004

Amy Atzel
708 N. 1st Street
Suite 431
Minneapolis, MN 55401

EXAMINER

LEWIS, CHERYL RENE A

ART UNIT	PAPER NUMBER
----------	--------------

2167

DATE MAILED: 12/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/717,529	Applicant(s) ATZEL, AMY · HOBBS	
	Examiner Cheryl Lewis	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This Office Action is in response to the applicant's communication, Amendment A, received on September 7, 2004.
2. Claims 1-47 are presented for examination.
3. Applicant's arguments with respect to claims 1-47 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-47 are rejected under 35 U.S.C. 102(e) as being anticipated by David Hitchcock, "Patent Searching Made Easy, How to Do Patent Searches on the Internet & in the Library", Nolo, ©1999, published January 2000, ISBN: 0873375548.
6. Regarding Claims 1, 9, 22, and 35, Hitchcock teaches receiving a text request (p. 3/7, column 1, Achieving a Sharper Focus in the Search, paragraphs 1 and 2, figure 10) comprising a unique identifier (p. 3/7 figure 10, 'fire AND protection', p. 3/15 figure 31 'CCL/362/198', col. 1, 3. Using the Boolean Search Page to Find All Patents Under a Particular Class and Subclass, paragraph 1, lines 1-4, paragraph 2, lines 1-10, col. 2,

Art Unit: 2167

paragraph 1, lines 1-12, p. 3/17, col. 1, C. Search by Patent Number, paragraph 1, lines 1-10, paragraph 2, lines 1-7, p. 3/17, col. 2, paragraph 1, lines 1-7, paragraph 2, lines 1-7, paragraph 3, lines 1-3, figures 38 and 39, p. 3/18, col. 1, D. Full-Text Search, paragraph 1, lines 1-10, 1. Selecting Full-Text Searching, paragraph 1, lines 1-10, figure 40 'PN/5,148,108', p. 6/6, col. 2, 3. Using Field Codes to Narrow Your Search, paragraph 1, lines 1-19, figure 7, 'Field Code and Field Name', p. 6/7, col. 1, paragraph 1, lines 1-11, paragraph 2, lines 1-5, col. 2, paragraph 1, lines 1-14, figure 8, figure 9 '(ttl/fire and ttl/protection) or (ttl/safety and ttl/glass)', p. 6/8, col. 1, paragraph 1, lines 1-8, paragraph 2, lines 1-10, figure 10, paragraph 3, 4. Using the XOR Boolean Operator, lines 1-5, p. 6/8, col. 2, paragraph 1, lines 1-13, figure 11 '(ttl/fire and tt/protection) xor (tt/safety and ttl/glass)', paragraph 2, lines 1-10, p. 6/10, col. 1, paragraph 1, lines 1-7, paragraph 2, lines 1-10 'IN/"Forward, Robert L.', paragraph 3, lines 1-4, figure 14 'IN/"Forward, Robert L.', col. 2, paragraph 1, lines 1-5, paragraph 2, lines 1-5, figure 15) and unformatted text (p. 6/7, col. 1, paragraph 1, lines 1-11, paragraph 2, lines 1-5, col. 2, paragraph 1, lines 1-14, figure 8, figure 9 '(ttl/fire and ttl/protection) or (ttl/safety and ttl/glass)', p. 6/10, col. 1, paragraph 1, lines 1-7, paragraph 2, lines 1-10 'IN/"Forward, Robert L.', paragraph 3, lines 1-4, figure 14 'IN/"Forward, Robert L.', col. 2, paragraph 1, lines 1-5, paragraph 2, lines 1-5, figure 15), wherein the unique identifier identifies an electronic file (p. 3/7, column 1, Achieving a Sharper Focus in the Search, paragraphs 1 and 2, figure 10, p. 3/7 figure 10, 'fire AND protection', p. 3/15 figure 31 'CCL/362/198', col. 1, 3. Using the Boolean Search Page to Find All Patents Under a Particular Class and Subclass, paragraph 1, lines 1-4, paragraph 2, lines 1-10, col. 2, paragraph 1, lines

Art Unit: 2167

1-12, p. 3/17, col. 1, C. Search by Patent Number, paragraph 1, lines 1-10, paragraph 2, lines 1-7, p. 3/17, col. 2, paragraph 1, lines 1-7, paragraph 2, lines 1-7, paragraph 3, lines 1-3, figures 38 and 39, p. 4/3, col. 1, figure 3 'fire, protection', paragraph 1, lines 1-9, paragraph 2, lines 1-4, col. 2, paragraph 1, lines 1-7, paragraph 2, lines 1-7, figure 4, paragraph 3, lines 1-6, p. 6/7, col. 1, paragraph 1, lines 1-11, paragraph 2, lines 1-5, col. 2, paragraph 1, lines 1-14, figure 8, figure 9 '(ttl/fire and ttl/protection) or (ttl/safety and ttl/glass)', p. 6/10, col. 1, paragraph 1, lines 1-7, paragraph 2, lines 1-10 'IN/"Forward, Robert L.', paragraph 3, lines 1-4, figure 14 'IN/"Forward, Robert L.', col. 2, paragraph 1, lines 1-5, paragraph 2, lines 1-5, figure 15); parsing the text request to identify the unique identifier (p. 3/4 , col. 1 a. Select database paragraph 1, lines 1-9, paragraph 2, lines 1-5, col. 2, paragraph 1, lines 1-7, paragraph 2, lines 1-10, paragraph 3, lines 1-5, figure 5 and figure 6 'Rank Results – Chronologically – By Relevance', p. 3/6 c. Rank the search results, col. 1, paragraph 1, lines 1-9, paragraph 2, lines 1-5, col. 2, paragraph 1, lines 1-4, paragraph 2, lines 1-5); requesting the electronic file identified by the unique identifier (p. 3/7, column 1, Achieving a Sharper Focus in the Search, paragraphs 1 and 2, figure 10, p. 3/7 figure 10, 'fire AND protection', p. 3/18 figure 40, col. 1 D. Full-Text Search paragraph 1, lines 1-10, 1. Selecting Full-Text Searching paragraph 1, lines 1-10, figure 41, col. 2 2. Doing the Full-Text Search paragraph 1, lines 1-11, figure 42, p. 3/19 3. col. 1, Understanding the Full-Text Search Results paragraph 1, lines 1-11, paragraph 2, lines 1-6, figure 43-44, col. 2, paragraph 1, lines 1-12).

Art Unit: 2167

7. Regarding Claims 2, 3, 10, 11, 23, 24, 36, and 37, the limitations of these claims have been noted in the rejection above. In addition, Hitchcock teaches query a user to order the file identified by the selected unique identifiers (p. 4/9, col. 2, paragraph 1, lines 1-4, paragraph 2, lines 1-7, paragraph 3, lines 1-15, figure 20 'Customer Number: Docket Number: Firm: Attention to: E-mail address: Fax number: Voice number: Address: City: State: Zip Code: Country:', p. 4/10, figure 21 'Patent Qty, Please wait to receive your order confirmation number or further instructions after submitting the order. Orders are not complete until a confirmation number is shown.').

8. Regarding Claims 4, 12, 25, and 38, Hitchcock teaches unique identifiers are delivered as a bundle (p. 3/7 figure 10, 'fire AND protection', p. 3/15 figure 31 'CCL/362/198', col. 1, 3. Using the Boolean Search Page to Find All Patents Under a Particular Class and Subclass, paragraph 1, lines 1-4, paragraph 2, lines 1-10, col. 2, paragraph 1, lines 1-12, p. 3/17, col. 1, C. Search by Patent Number, paragraph 1, lines 1-10, paragraph 2, lines 1-7, p. 3/17, col. 2, paragraph 1, lines 1-7, paragraph 2, lines 1-7, paragraph 3, lines 1-3, figures 38 and 39, p. 3/18, col. 1, D. Full-Text Search, paragraph 1, lines 1-10, 1. Selecting Full-Text Searching, paragraph 1, lines 1-10, figure 40 'PN/5,148,108', p. 6/6, col. 2, 3. Using Field Codes to Narrow Your Search, paragraph 1, lines 1-19, figure 7, 'Field Code and Field Name', p. 6/7, col. 1, paragraph 1, lines 1-11, paragraph 2, lines 1-5, col. 2, paragraph 1, lines 1-14, figure 8, figure 9 '(ttl/fire and ttl/protection) or (ttl/safety and ttl/glass)', p. 6/8, col. 1, paragraph 1, lines 1-8, paragraph 2, lines 1-10, figure 10, paragraph 3, 4. Using the XOR Boolean Operator, lines 1-5, p. 6/8, col. 2, paragraph 1, lines 1-13, figure 11 '(ttl/fire and tt/protection) xor

Art Unit: 2167

(tt/safety and ttl/glass)', paragraph 2, lines 1-10, p. 6/10, col. 1, paragraph 1, lines 1-7, paragraph 2, lines 1-10 'IN/"Forward, Robert L.', paragraph 3, lines 1-4, figure 14 'IN/"Forward, Robert L.', col. 2, paragraph 1, lines 1-5, paragraph 2, lines 1-5, figure 15, p. 3/7, column 1, Achieving a Sharper Focus in the Search, paragraphs 1 and 2, figure 10, p. 3/7 figure 10, 'fire AND protection', p. 3/18 figure 40, col. 1 D. Full-Text Search paragraph 1, lines 1-10, 1. Selecting Full-Text Searching paragraph 1, lines 1-10, figure 41, col. 2 2. Doing the Full-Text Search paragraph 1, lines 1-11, figure 42, p. 3/19 3. col. 1, Understanding the Full-Text Search Results paragraph 1, lines 1-11, paragraph 2, lines 1-6, figure 43-44, col. 2, paragraph 1, lines 1-12).

9. Regarding Claims 5, 13, 26, and 29, Hitchcock teaches a window for a text request selection (p. 3/2 col. 1, paragraph 1, lines 1-7, A. Simple Keyword Searches at the PTO's Website, paragraph 1, lines 1-9, 1. Up and Running, paragraph 1, lines 1-5, paragraph 2, lines 1-9, p. 3/7, column 1, Achieving a Sharper Focus in the Search, paragraphs 1 and 2, figure 10).

10. Regarding Claims 6, 17, 30, and 43, Hitchcock teaches the file is selected from a group of multimedia files, image files, document files, and program files (p. 3/20, figure 47, col. 1, paragraph 1, lines 1-11, figure 48, E. Patent Images, paragraph 1, lines 1-11, col. 2, paragraph 1, lines 1-3, 1. Loading the Image Viewer, paragraph 1, lines 1-11, figure 49, paragraph 2, lines 1-10, p. 3.32, col. 1, 3. Using the Image Viewer, paragraph 1, lines 1-12, figure 58, paragraph 2, lines 1-2, col. 2, paragraph 1, lines 1-10, figure 59, col. 1, lines 1-5, paragraph 2, lines 1-6, paragraph 3, lines 1-4).

Art Unit: 2167

11. Regarding Claim 7, 31, and 18, Hitchcock teaches a client computer (p. 2/2 A. What is the Internet? Paragraph 1, lines 1-17, B. How Does the Internet Work? paragraph 1, lines 1-8, col. 2, paragraph 1, lines 1-6, paragraph 2, lines 1-18, C. Computer Hardware Requirements for Using the Internet, paragraph 1, lines 1-10, paragraph 2, lines 1-3, p. 2/3, col. 1, paragraph 1, lines 1-8, paragraph 2, lines 1-9, paragraph 3, lines 1-8, paragraph 4, lines 1-14, paragraph 5, lines 1-5, p. 3/2 col. 1, paragraph 1, lines 1-7, A. Simple Keyword Searches at the PTO's Website, paragraph 1, lines 1-9, 1. Up and Running, paragraph 1, lines 1-5, paragraph 2, lines 1-9, col. 2, paragraph 1, lines 1-11, figure 2, paragraph 2, lines 1-8, paragraph 3, lines 1-4, 2. Connecting to the PTO's Website paragraph 1, lines 1-3, p. 3/3 col. 1, paragraph 1, lines 1-9, figure 3).
12. Regarding Claims 8, 19, 32, 35, 44, and 45, Hitchcock teaches a server computer (p. 2/2 A. What is the Internet? Paragraph 1, lines 1-17, B. How Does the Internet Work? paragraph 1, lines 1-8, col. 2, paragraph 1, lines 1-6, paragraph 2, lines 1-18, C. Computer Hardware Requirements for Using the Internet, paragraph 1, lines 1-10, paragraph 2, lines 1-3, p. 2/3, col. 1, paragraph 1, lines 1-8, paragraph 2, lines 1-9, paragraph 3, lines 1-8, paragraph 4, lines 1-14, paragraph 5, lines 1-5, p. 3/2 col. 1, paragraph 1, lines 1-7, A. Simple Keyword Searches at the PTO's Website, paragraph 1, lines 1-9, 1. Up and Running, paragraph 1, lines 1-5, paragraph 2, lines 1-9, col. 2, paragraph 1, lines 1-11, figure 2, paragraph 2, lines 1-8, paragraph 3, lines 1-4, 2. Connecting to the PTO's Website paragraph 1, lines 1-3, p. 3/3 col. 1, paragraph 1, lines 1-9, figure 3).

Art Unit: 2167

13. Regarding Claims 14, 27, and 40, Hitchcock teaches an electronic file (p. 3/7, column 1, Achieving a Sharper Focus in the Search, paragraphs 1 and 2, figure 10, p. 3/7 figure 10, 'fire AND protection', p. 3/18 figure 40, col. 1 D. Full-Text Search paragraph 1, lines 1-10, 1. Selecting Full-Text Searching paragraph 1, lines 1-10, figure 41, col. 2 2. Doing the Full-Text Search paragraph 1, lines 1-11, figure 42, p. 3/19 3. col. 1, Understanding the Full-Text Search Results paragraph 1, lines 1-11, paragraph 2, lines 1-6, figure 43-44, col. 2, paragraph 1, lines 1-12).

14. Regarding Claims 15, 28, and 41, Hitchcock teaches consumer product (p. 3/7, column 1, Achieving a Sharper Focus in the Search, paragraphs 1 and 2, figure 10, p. 3/7 figure 10, 'fire AND protection', p. 3/18 figure 40, col. 1 D. Full-Text Search paragraph 1, lines 1-10, 1. Selecting Full-Text Searching paragraph 1, lines 1-10, figure 41, col. 2 2. Doing the Full-Text Search paragraph 1, lines 1-11, figure 42, p. 3/19 3. col. 1, Understanding the Full-Text Search Results paragraph 1, lines 1-11, paragraph 2, lines 1-6, figure 43-44, col. 2, paragraph 1, lines 1-12).

15. Regarding Claims 16, 29, and 42, Hitchcock teaches the item is a service (p. 4/9, col. 2, paragraph 1, lines 1-4, paragraph 2, lines 1-7, paragraph 3, lines 1-15, figure 20 'Customer Number: Docket Number: Firm: Attention to: E-mail address: Fax number: Voice number: Address: City: State: Zip Code: Country:', p. 4/10, figure 21 'Patent Qty, Please wait to receive your order confirmation number or further instructions after submitting the order. Orders are not complete until a confirmation number is shown.').

16. Regarding Claims 20, 23, and 46, Hitchcock teaches the request comprises text (p. 3/7 figure 10, 'fire AND protection', p. 3/15 figure 31 'CCL/362/198', col. 1, 3. Using

Art Unit: 2167

the Boolean Search Page to Find All Patents Under a Particular Class and Subclass, paragraph 1, lines 1-4, paragraph 2, lines 1-10, col. 2, paragraph 1, lines 1-12, p. 3/17, col. 1, C. Search by Patent Number, paragraph 1, lines 1-10, paragraph 2, lines 1-7, p. 3/17, col. 2, paragraph 1, lines 1-7, paragraph 2, lines 1-7, paragraph 3, lines 1-3, figures 38 and 39, p. 3/18, col. 1, D. Full-Text Search, paragraph 1, lines 1-10, 1. Selecting Full-Text Searching, paragraph 1, lines 1-10, figure 40 'PN/5,148,108', p. 6/6, col. 2, 3. Using Field Codes to Narrow Your Search, paragraph 1, lines 1-19, figure 7, 'Field Code and Field Name', p. 6/7, col. 1, paragraph 1, lines 1-11, paragraph 2, lines 1-5, col. 2, paragraph 1, lines 1-14, figure 8, figure 9 '(ttl/fire and ttl/protection) or (ttl/safety and ttl/glass)', p. 6/8, col. 1, paragraph 1, lines 1-8, paragraph 2, lines 1-10, figure 10, paragraph 3, 4. Using the XOR Boolean Operator, lines 1-5, p. 6/8, col. 2, paragraph 1, lines 1-13, figure 11 '(ttl/fire and tt/protection) xor (tt/safety and ttl/glass)', paragraph 2, lines 1-10, p. 6/10, col. 1, paragraph 1, lines 1-7, paragraph 2, lines 1-10 'IN/"Forward, Robert L.', paragraph 3, lines 1-4, figure 14 'IN/"Forward, Robert L.', col. 2, paragraph 1, lines 1-5, paragraph 2, lines 1-5, figure 15).

17. Regarding Claim 34, Hitchcock teaches the request comprises an image (p. 3/20, figure 47, col. 1, paragraph 1, lines 1-11, figure 48, E. Patent Images, paragraph 1, lines 1-11, col. 2, paragraph 1, lines 1-3, 1. Loading the Image Viewer, paragraph 1, lines 1-11, figure 49, paragraph 2, lines 1-10, p. 3.32, col. 1, 3. Using the Image Viewer, paragraph 1, lines 1-12, figure 58, paragraph 2, lines 1-2, col. 2, paragraph 1, lines 1-10, figure 59, col. 1, lines 1-5, paragraph 2, lines 1-6, paragraph 3, lines 1-4).

Art Unit: 2167

18. Regarding Claim 44, Hitchcock teaches the means which essentially comprises the same means as a Java applet (p. 2/2 A. What is the Internet? Paragraph 1, lines 1-17, B. How Does the Internet Work? paragraph 1, lines 1-8, col. 2, paragraph 1, lines 1-6, paragraph 2, lines 1-18, C. Computer Hardware Requirements for Using the Internet, paragraph 1, lines 1-10, paragraph 2, lines 1-3, p. 2/3, col. 1, paragraph 1, lines 1-8, paragraph 2, lines 1-9, paragraph 3, lines 1-8, paragraph 4, lines 1-14, paragraph 5, lines 1-5, p. 3/2 col. 1, paragraph 1, lines 1-7, A. Simple Keyword Searches at the PTO's Website, paragraph 1, lines 1-9, 1. Up and Running, paragraph 1, lines 1-5, paragraph 2, lines 1-9, col. 2, paragraph 1, lines 1-11, figure 2, paragraph 2, lines 1-8, paragraph 3, lines 1-4, 2. Connecting to the PTO's Website paragraph 1, lines 1-3, p. 3/3 col. 1, paragraph 1, lines 1-9, figure 3).
19. Regarding Claims 21, 33, 39, and 47, the limitations of these claims have been noted in the rejection above. They are therefore rejected as set forth above.

NAME OF CONTACT

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 or (703) 305-9731.

Art Unit: 2167

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

A handwritten signature in black ink, appearing to read 'Cheryl Lewis', is written over the printed name.

Cheryl Lewis
Patent Examiner
December 10, 2004